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CLEARINGHOUSE RULE 95-151

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

1. Statutory Authority

Under s. 560.20, Stats., relating to the business development initiative, the Department of Development (DOD) is to provide technical assistance, grants and services and, under s. 560.20 (2) (d) 2., “Award grants under par. (a) on a competitive basis after evaluating applications received by the department for technical assistance and grants under par. (a).” Proposed s. DOD 17.04 (1) and (4) (intro.) delete the requirements for holding an annual competition for technical assistance and technical assistance grants and provide that DOD will compare applications received during the same fiscal year to the application being considered on each of the required elements. It is not clear whether these provisions comply with the statutory requirement that the DOD hold a competition. That is, under the proposed rule, the first application received in a fiscal year could not be compared to any other. The second application during the year would be compared only with the first application that had been received; the third would be compared to the first two. However, since these applications would already have been processed, it is difficult to determine that there is a true “competition” among the applicants.

5. Clarity, Grammar, Punctuation and Use of Plain Language

In the introduction, “business” is misspelled in “business development initiative program.”